

30. (New) A device as in claim 10, wherein the closing element includes a loop to permanently close the left atrial appendage.

31. (New) A device as in claim 10, wherein the closing element includes a clip to permanently close the left atrial appendage.

Remarks

The present application is a divisional application based on Serial No. 09/315,601, filed May 20, 1999, and seeks to prosecute claims 10-25 and 26. Claims 1-9 and 27-28 were previously cancelled in a preliminary amendment, dated November 5, 2001.

This supplemental preliminary amendment is being submitted to amend claims 10 and 17-19 and add new claims 29-31. First as to the amended claims, the recitation of "means" in claim 10 and "closing means" in claims 17-19 has been amended to recite "at least one closing element" which is carried by the shaft. It is respectfully believed that this amendment does not add any new matter (page 5, lines 27-30; and page 7, line 32 - page 8, line 6).

Added claims 29-31 also do not add any new matter. New claim 29 recites that the closing element includes means for closing the left atrial appendage. Claim 30 recites that the closing element includes a loop to permanently close the left atrial appendage (page 8, lines 11-13; and page 9, lines 1-7). Claim 31 recites that the closing element includes a clip to permanently close the left atrial appendage (page 9, line 23-32).

Entry of these amendments is respectfully requested.

Respectfully submitted,

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Version with Markings to Show Changes Made

10. (Amended) A device for closing a left atrial appendage of a heart, said device comprising:

a shaft having a proximal end and a distal end, wherein the distal end is percutaneously adapted to enter a pericardial space, advance over an epicardial surface, and approach the exterior of the left atrial appendage; and

[means] at least one a closing element carried by the shaft [for closing] adapted to close the left atrial appendage when the distal end of the shaft is positioned adjacent the left atrial appendage.

17. (Amended) A device as in claim 16, wherein the closing [means] element extends through the at least one lumen.

18. (Amended) A device as in claim 17, wherein the closing [means] element comprises a grasping tool which extends through one of the lumens, said grasping tool being adapted to temporarily grasp the left atrial appendage.

19. (Amended) A device as in claim 18, wherein the [closing means further comprises a closing tool] the closing element

is adapted to permanently close the left atrial appendage while
[it] the left atrial appendage is being temporarily closed with
the grasping tool.